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APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/676,012	10/02/2003	Young-Sil Yu	. 101190-00034	6432	
4372 75	590 12/06/2004	EXAMINER			
	KINTNER PLOTKIN	GELLNER,	GELLNER, JEFFREY L		
SUITE 400	CTICUT AVENUE, N.W.	ART UNIT	PAPER NUMBER		
WASHINGTO	N, DC 20036	· 3643			
			DATE MAIL ED. 12/06/200	4	

Please find below and/or attached an Office communication concerning this application or proceeding.

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		Applicatio	n No.	Applicant(s)				
Office Action Summary		10/676,01	2	YU, YOUNG-SIL				
		Examiner	-	Art Unit	1 4)			
		Jeffrey L. C		3643	(Klu)			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply								
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).								
Status								
1)[🗆	Responsive to communication(s) filed on 2	27 October 2004	<u>Į</u> .					
2a)[This action is FINAL . 2b) This action is non-final.							
3)□	Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposit	ion of Claims							
5)□ 6)⊠ 7)⊠	 4) Claim(s) 1-12 is/are pending in the application. 4a) Of the above claim(s) 1-3,6,7 and 12 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 4,5 and 8 is/are rejected. 7) Claim(s) 9-11 is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. 							
Applicat	ion Papers		,					
9)□	The specification is objected to by the Exan	miner.						
10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.								
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.								
Priority (under 35 U.S.C. § 119							
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 								
Attachmer	rt(s)							
1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date								
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date Paper No(s)/Mail Date Paper No(s)/Mail Date Other:								

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DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of species combination V - A- b in the reply filed on 27 October 2004 is acknowledged. The traversal is on the ground(s) that since all species have rotatble beads there is no undue burden on the examiner. This is not found persuasive because although all species have rotatable beads the structures in which the beads as shown are considered patently distinct. Searching several patently distinct inventions is an undue burden

The requirement is still deemed proper and is therefore made FINAL. Claims 1-3, 6,7, and 12 are withdrawn from examination because they are drawn to non-elected species.

Applicant is reminded that before the application can pass to issue claims 1-3, 6, and 7 must be cancelled.

Claim Objections

Claim 4 is objected to because of the following informality:

In claim 4, line 3, after "wound" should be --a--.

Appropriate correction is required.

Claim Rejections - 35 USC §103

The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 4, 5, and 8 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hector (US 5,590,546).

As to Claim 4, Hector discloses a flower supporting device Figs. 1-29) wherein a plurality of rotatable beads (48 in Fig. 5) are connected by connection means having elasticity (54 of Fig. 5) so that a support body is formed, and the support body is wound a multitude of times (Fig. 6) on a support frame (44 in Figs. 6 and 8) which has predetermined configuration and is defined with an insertion hole (65 of Fig. 8) so that a stem of a flower can be inserted trough a space defined between portions of the support body and through the insertion hole of the support frame.

As to Claim 5, Hector further discloses the support body wound on the support frame (Fig. 6) so that the portions of the support body are staggered one with another.

As to Claim 8, Hector further discloses a water containing segment (38 of Fig. 1) installed in the flower supporting device.

Allowable Subject Matter

Claims 9-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Loftice and Keller disclose in the prior art various flower support devices with wound support bodies. Golec disclose in the prior art a device with a support frame and beads. Ciko et al., Starling et al., and Hones et al. disclose in the prior art various beads with support bodies.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Jeffrey L. Gellner whose phone number is 703.305.0053. The Examiner can normally be reached Monday through Thursday from 8:30 am to 4:00 pm. The Examiner can also be reached on alternate Fridays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Peter Poon, can be reached at 703.308.2574. The official fax telephone number for the Technology Center where this application or proceeding is assigned is 703.872.9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.308.1113.

Jeffrey L. Gellner

1/1/

Primary Examiner